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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ARBONNE INTERNATIONAL, LLC.,

Plaintiff,

vs.

NAYAT SEMERCIYAN and NU-VO JEWELS
INC., a/k/a NU-VO BIJOUX INC.,

Defendants.

Case No. 2:16-cv-01728-JAD-VCF

**FINAL JUDGMENT AND
PERMANENT INJUNCTION BY
STIPULATION AND AGREEMENT OF
THE PARTIES**

ECF No. 16

Plaintiff, Arbonne International, LLC ("Arbonne"), by and through their counsel, and
Defendant, Nayat Semerciyan ("Semerciyan"), in proper person, collectively the "Parties,"
hereby stipulate and agree to entry of this Final Judgment and Permanent Injunction, as set forth

1 herein. Parties, after having an opportunity to consult with their own legal counsel, hereby
2 stipulate, agree and admit, that factual, legal and other allegations contained in the Complaint
3 filed by Arbonne in this matter are all true and correct. Parties have approved the substance and
4 form of this Stipulated Final Judgment and Permanent Injunction and, based on the Complaint
5 and the factual, legal and/or other findings below and for other good cause otherwise appearing,
6 hereby jointly ask this Honorable Court to approve and enter the same,

7 IT IS HEREBY ORDERED THAT:

8 1. Pursuant to Federal Civil Rule 41(a)(1), Defendant Nu-Vo Jewels Inc. a/k/a Nu-
9 Vo Bijoux Inc. shall be and hereby is dismissed without prejudice.

10 2. This Court has jurisdiction of the subject matter of this action and personal
11 jurisdiction over Semerciyan.

12 3. Venue is proper in this Court.

13 4. Semerciyan was properly served with a copy of the Summons and Complaint on
14 August 19, 2016.

15 5. The injunctive provisions of this Judgment shall apply to Semerciyan, as well as
16 her agents, servants, employees, and those persons or entities in active concert or participation
17 with her (collectively, the "Restrained Parties").

18 6. Arbonne has valid and subsisting trademarks for ARBONNE® (U.S. Trademark
19 Registration Nos. 4,491,258, 3,218,119, 3,159,918, and 1,770,981), ARBONNE
20 INTERNATIONAL® (U.S. Trademark Registration No. 3,159,813), ARBONNE
21 INTELLIGENCE® (U.S. Trademark Registration Nos. 4,629,529 and 3,514,987), ARBONNE
22 ESSENTIALS® (U.S. Trademark Registration Nos. 4,136,385, 4,143,617, 4,143,616, 4,147,378,
23 4,147,377, and 4,136,347), RE9® (U.S. Trademark Registration Nos. 2,982,066 and 3,679,754),
24 and RE9 ADVANCED® (U.S. Trademark Registration Nos. 3,887,045 and 3,887,044), and its
25 "AA Logo" (U.S. Trademark Registration Nos. 3,895,265, 1,280,041, 3,452,663) (collectively,
26 the "Arbonne Registered Trademarks").
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1 7. Arbonne is widely recognized as the designated source of goods bearing the
2 Arbonne Registered Trademarks.

3 8. Semerciyan willfully and knowingly used the Arbonne Registered Trademarks in
4 commerce by counterfeiting and selling products bearing the marks without the consent of
5 Arbonne.

6 9. Semerciyan's use of the Arbonne Registered Trademarks in connection with the
7 unauthorized sale and advertising of products was likely to cause confusion, cause mistake, or
8 deceive consumers because it suggested that the products offered for sale by Semerciyan were
9 genuine and authentic products, and originated from, or were sponsored, authorized, or otherwise
10 connected with Arbonne.

11 10. Semerciyan's unauthorized use of the Arbonne Registered Trademarks has
12 infringed and damaged the value of Arbonne's Trademarks.

13 11. As a proximate result of Semerciyan's actions, Arbonne has suffered and will
14 continue to suffer damage to its business, good will, reputation, and profits for which there is no
15 adequate remedy at law.

16 12. Semerciyan infringed on the Arbonne Registered Trademarks in violation of 15
17 U.S.C. §§ 1114 and 1125(a)(1)(A).

18 13. Semerciyan has committed false advertising, in violation of 15 U.S.C.
19 § 1125(a)(1)(b).

20 14. Semerciyan has committed trademark dilution, in violation of 15 U.S.C. §
21 1125(c).

22 15. Arbonne also has valid and registered copyrights featuring its "AA Logo,"
23 including, but not limited to, Copyright Numbers VA0001848274, V3631D172, VA0001848271,
24 VA0001848277, V3631D172, VA0001848268, VA0001848275, VA0001848264,
25 VA0001848266, VA0001952727, and VA0001951229 (collectively, the "Arbonne Registered
26 Copyrights" or "Copyrights").
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1 16. As a proximate result of Semerciyan's actions, Arbonne has suffered and will
2 continue to suffer damage to its business, good will, reputation, and profits for which there is no
3 adequate remedy at law.

4 17. By copying the Arbonne Registered Copyrights, Semerciyan has committed
5 copyright infringement in violation of 17 U.S.C. § 501.

6 18. Together, the Arbonne Registered Trademarks and Arbonne Registered
7 Copyrights are referred to herein as the "Arbonne Intellectual Property."

8 19. Enforcement of copyright and trademark laws is important to prevent consumer
9 confusion. It is in the public's interest to enjoin future misuse of the Arbonne Intellectual
10 Property.

11 Accordingly, with good cause appearing and based on the parties' stipulation [ECF No. 16],
12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

13 1. **All claims against defendant Nu-Vo Jewels Inc. Aga Nu-Vo Bijoux Inc., are**
14 **DISMISSED with prejudice**, each side to bear its own fees and costs;

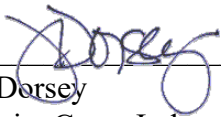
15 2. Semerciyan and the Restrained Parties shall be and hereby are permanently enjoined
16 and restrained from:

17 (a) advertising, selling, or facilitating the advertisement or sale of, via the Internet or
otherwise, any goods or products bearing any Arbonne Intellectual Property;

18 (b) using Arbonne Intellectual Property in any manner, including advertising on the
Internet; and

19 (c) importing, exporting, manufacturing, producing, distributing, circulating, selling,
20 offerings to sell, advertising, promoting, or displaying any goods or products
bearing any Arbonne Intellectual Property.

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22 3. The Clerk of Court is directed to **enter this judgment and close this case.**

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24 
25 _____
Jennifer Dorsey
26 U.S. District Court Judge
27 12/27/16
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